

Bath Iron Works Corporation)
Sagadahoc County)
Bath, Maine)
A-333-70-A-I)

Departmental
Findings of Fact and Order
Initial Part 70 Air Emission License

After review of the Initial Part 70 License application, staff investigation reports and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 M.R.S.A, Section 344 and Section 590, the Department finds the following facts:

I. Registration

A. Introduction

FACILITY	Bath Iron Works Corporation (BIW)
LICENSE NUMBER	A-333-70-A-I
LICENSE TYPE	Initial Part 70 License
SIC CODES	3731
NATURE OF BUSINESS	Shipbuilding and Repair
FACILITY LOCATION	Bath, Maine
DATE OF LICENSE ISSUANCE	May 25, 2001
LICENSE EXPIRATION DATE	May 25, 2006

B. Emission Equipment

The following emission units are addressed by this Part 70 License:

<u>EMISSION UNIT ID</u>	<u>UNIT CAPACITY</u>	<u>UNIT TYPE</u>
#1, Boiler #1	29.3 MMBtu/hr	fuel burning equipment
#2, Boiler #2	29.3 MMBtu/hr	fuel burning equipment
#3, Boiler #3	29.3 MMBtu/hr	fuel burning equipment
#4, Boiler #9	25.1 MMBtu/hr	fuel burning equipment
#5, Boiler #10	25.1 MMBtu/hr	fuel burning equipment
#6, Boiler #11	29.3 MMBtu/hr	fuel burning equipment
#7, Boiler #12	29.3 MMBtu/hr	fuel burning equipment
#8, Generator #1	5.5 MMBtu/hr (500 kW)	stand-by generator
#9, Generator #2	3.85 MMBtu/hr (350 kW)	stand-by generator
#10, Generator #3	4.95 MMBtu/hr (450 kW)	stand-by generator
#11, LLTF Fire Pump	2.6 MMBtu/hr	emergency generator
#12, North Dock Diesel	2.0 MMBtu/hr	emergency generator
#13, TTS Diesels (2)	2.2 MMBtu/hr (each)	diesel power units
#11, painting operations	n/a	process equipment

#12, parts cleaning	n/a	miscellaneous equipment
#13, blasting operations	n/a	process equipment
#14, gasoline dispensing	n/a	miscellaneous equipment

BIW has additional insignificant activities which do not need to be listed in the emission equipment table above. A list of insignificant activities can be found in Chapter 140, Appendix B with a representative example of such activities conducted at BIW being found in the Initial Chapter 140 License Application on file with the Department.

C. Application Classification

The application for BIW does not include the licensing of increased emissions or the installation of new or modified equipment, therefore the license is considered to be an Initial Part 70 License issued under Chapter 140 of the Department's regulations for a Part 70 source.

II. EMISSION UNIT DESCRIPTION

BIW manufactures ships for the US Navy. Currently the DDG class ships are constructed at this facility. Beginning in the year 2001 BIW will begin the construction of a new class of ship, the LPD. This ship will be larger than those currently being built therefore requiring modifications to the facility and changes in operations from those that have taken place in the past. With the incorporation of a new Land Level Transfer Facility (LLTF) these ships will be handled completely at this facility with no outfitting at an outside facility required.

VOC RACT

BIW is in an attainment area for all US EPA designated criteria pollutants, except for ozone for which Sagadahoc County is designated as moderate nonattainment. Maine is currently part of the Ozone Transport Region (OTR), and thus, the entire State of Maine is subject to the nonattainment requirements for ozone. Chapter 134 of the Maine Air Regulations requires facilities that have the potential to emit forty (40) tons or more of VOC per calendar year to apply VOC RACT (Reasonably Available Control Technology) to their applicable VOC emissions. Chapter 134 VOC RACT requirements are incorporated into this initial Part 70 license.

Streamlining

BIW has accepted streamlining for certain requirements, as stated below under the applicable sections. Streamlining is the process of listing the applicable regulations and accepting only the most stringent.

A. Boilers #1 - #3, oil-fired boilers

Unit Size and Age

Boilers #1-#3 were manufactured by Cleaver Brooks each with a maximum design heat input of 29.3 MMBtu/hr firing #6 fuel oil. Boilers #1 and #2 were installed in 1995 and boiler #3 was installed in 1996, therefore each boiler triggers New Source Performance Standards (NSPS) Subpart Dc applicability. The boilers are used for steam and heating purposes. Emissions from boilers #1 and #2 exit through a 131 ft stack designated as stack #1 while emissions from boiler #3 exit through a 115 ft stack designated as stack #1b.

Streamlining

Opacity

BIW accepts streamlining for opacity requirements. Chapter 101, Section 2(A)(1) of the Department's regulations and Best Practical Treatment (BPT) requirements are applicable. The Best Practical Treatment (BPT) opacity limit is more stringent. Therefore, only the more stringent BPT opacity limit is included in this license.

Sulfur Dioxide

BIW accepts streamlining for sulfur dioxide requirements. Chapter 106 of the Department's regulations is applicable, however, boilers #1 - #3 are subject to the standards for sulfur dioxide in 40 CFR Part 60, Subpart Dc 60.42c requiring that the fuel oil combusted contain no greater than 0.5 weight percent sulfur.

Periodic Monitoring

Periodic monitoring shall consist of recordkeeping which includes records of fuel use indicating the quantity delivered (gallons) and percent sulfur by weight through fuel oil analysis' provided by the supplier for each tank from which fuel is supplied to BIW conducted for each new delivery to the supplier.

B. Boiler #9, oil-fired boiler

Unit Size and Age

Boiler #9 was manufactured by Cleaver Brooks with maximum design heat input of 25.1 MMBtu/hr firing #6 fuel oil. Boiler #9 was installed in 1987, prior to the New Source Performance Standards (NSPS) Subpart Dc applicability. This boiler is used for steam and heating purposes. Emissions from boiler #9 exit through a 148 ft stack designated as stack #3.

Streamlining

Opacity

BIW accepts streamlining for opacity requirements. Chapter 101, Section 2(A)(1) of the Department's regulations and Best Practical Treatment (BPT) requirements are applicable. The Best Practical Treatment (BPT) opacity limit is more stringent. Therefore, only the more stringent BPT opacity limit is included in this license.

Sulfur Dioxide

BIW accepts streamlining for sulfur dioxide requirements. Chapter 106 of the Department's regulations and Best Practical Treatment (BPT) requirements are applicable. The Best Practical Treatment (BPT) limit is more stringent. Therefore, only the more stringent BPT limit is included in this license.

Particulate Matter

BIW accepts streamlining for particulate matter requirements for boiler #9. Chapter 103 Section 2(A)(1) and 2(B)(1)(a) of the Department's regulations and Best Practical Treatment (BPT) requirements are applicable. The BPT limit is more stringent. Therefore, only the more stringent BPT limit is included in this license.

Periodic Monitoring

Periodic monitoring shall consist of recordkeeping which includes records of fuel use indicating the quantity delivered (gallons) and percent sulfur by weight through fuel oil analysis' provided by the supplier for each tank from which fuel is supplied to BIW conducted for each new delivery to the supplier.

C. Boiler #10, oil-fired boiler

Unit Size and Age

Boiler #10 was manufactured by Cleaver Brooks with a maximum design heat input of 25.1 MMBtu/hr firing #6 fuel oil. Boiler #10 was installed in 1989, therefore triggering the New Source Performance Standards (NSPS) Subpart Dc applicability. The boiler is used for steam and heating purposes. Emissions from boiler #10 exit through a 148 ft stack designated as stack #3 in conjunction with emissions from boiler #9.

Streamlining

Opacity

BIW accepts streamlining for opacity requirements. Chapter 101, Section 2(A)(1) of the Department's regulations and Best Practical Treatment (BPT) requirements are applicable. The Best Practical Treatment (BPT) opacity limit is more stringent. Therefore, only the more stringent BPT opacity limit is included in this license.

Sulfur Dioxide

BIW accepts streamlining for sulfur dioxide requirements. Chapter 106 of the Department's regulations is applicable, however, boiler #10 is subject to the standards for sulfur dioxide in 40 CFR Part 60, Subpart Dc 60.42c requiring that the fuel oil combusted contain no greater than 0.5 weight percent sulfur.

Particulate Matter

BIW accepts streamlining for particulate matter requirements. Chapter 103 Section 2(B)(1)(a) of the Department's regulations and Best Practical Treatment (BPT) requirements are applicable. The BPT limit is more stringent. Therefore, only the more stringent BPT limit is included in this license.

Periodic Monitoring

Periodic monitoring shall consist of recordkeeping which includes records of fuel use indicating the quantity delivered (gallons) and percent sulfur by weight through fuel oil analysis' provided by the supplier for each tank from which fuel is supplied to BIW conducted for each new delivery to the supplier.

D. Boilers #11 and #12, oil fired boilers

Unit Size and Age

Boilers #11 and #12 were manufactured by Cleaver Brooks each with a maximum design heat input of 29.3 MMBtu/hr firing #6 fuel oil. Boilers #11 and #12 are to be installed in 2000/2001, therefore triggering the New Source Performance Standards (NSPS) Subpart Dc applicability. The boilers are used for steam and heating purposes.

Streamlining

Opacity

BIW accepts streamlining for opacity requirements. Chapter 101, Section 2(A)(1) of the Department's regulations and Best Practical Treatment (BPT) requirements are applicable. The Best Practical Treatment (BPT) opacity limit is more stringent. Therefore, only the more stringent BPT opacity limit is included in this license.

Sulfur Dioxide

BIW accepts streamlining for sulfur dioxide requirements. Chapter 106 of the Department's regulations is applicable, however, boilers #11 and #12 are subject to the standards for sulfur dioxide in 40 CFR Part 60, Subpart Dc 60.42c requiring that the fuel oil combusted contain no greater than 0.5 weight percent sulfur.

Periodic Monitoring

Periodic monitoring shall consist of recordkeeping which includes records of fuel use indicating the quantity delivered (gallons) and percent sulfur by weight through fuel oil analysis' provided by the supplier for each tank from which fuel is supplied to BIW conducted for each new delivery to the supplier.

E. Generators #1 - #3, stand-by generators

Unit Size and Age

Generators #1 and #2 were manufactured by Caterpillar and installed in 1994 and 1991. Generator #3 was manufactured by General Electric and installed in 1978. Generators #1 - #3 have maximum design heat inputs of 5.5, 3.85, and 4.95 MMBtu/hr, respectively, each firing diesel fuel with a maximum sulfur content not to exceed 0.05% by weight. These generators are used for stand-by power for facility operations.

Streamlining

Opacity

BIW accepts streamlining for opacity requirements. Chapter 101, Section 2(A)(1) of the Department's regulations and Best Practical Treatment (BPT) requirements are applicable. The Best Practical Treatment (BPT) opacity limit is more stringent. Therefore, only the more stringent BPT opacity limit is included in this license.

Sulfur Dioxide

BIW accepts streamlining for sulfur dioxide requirements. Chapter 106 of the Department's regulations and Best Practical Treatment (BPT) requirements are applicable. The Best Practical Treatment (BPT) limit is more stringent. Therefore, only the more stringent BPT limit is included in this license.

Periodic Monitoring

Periodic monitoring shall consist of recordkeeping which includes records of fuel use through purchase receipts indicating amounts (gallons) and percent sulfur by weight and records documenting hours of operation.

F. Diesel Units: LLTF Fire Pump, North Dock Fire Pump, emergency diesels; TTS diesel units (2), power units

Unit Size and Age

The LLTF Fire Pump is a Detroit Diesel unit rated at 368 hp. The North Dock Fire Pump is a Caterpillar unit rated at 287 hp. The two additional diesel power units will be utilized to power the Total Transfer System (TTS) which is the mechanism used to move ships and ship sections about the new LLTF and the new drydock. The two individual power units are 223 kW Perkins diesel engines.

All four of the additional diesel units shall be restricted to the firing of low sulfur diesel fuel with a maximum sulfur content not to exceed 0.05% by weight in addition to an operational restriction of 500 hours per year, operation for each.

Streamlining

Opacity

BIW accepts streamlining for opacity requirements. Chapter 101, Section 2(A)(1) of the Department's regulations and Best Practical Treatment (BPT) requirements are applicable. The Best Practical Treatment (BPT) opacity limit is more stringent. Therefore, only the more stringent BPT opacity limit is included in this license.

Sulfur Dioxide

BIW accepts streamlining for sulfur dioxide requirements. Chapter 106 of the Department's regulations and Best Practical Treatment (BPT) requirements are applicable. The Best Practical Treatment (BPT) limit is more stringent. Therefore, only the more stringent BPT limit is included in this license.

Periodic Monitoring

Periodic monitoring shall consist of recordkeeping which includes records of fuel use through purchase receipts indicating amounts (gallons) and percent sulfur by weight and records documenting hours of operation.

G. Painting Operations

BIW operates three main paint and blast buildings at the Bath facility along with painting operations being conducted at numerous other locations throughout the facility. Paint is distributed from one central warehouse out to one of two distribution centers along with several satellite areas and to paint warming cabinets (PWC) which are equipped with electric heaters to maintain optimal viscosity during periods of cold weather. At these locations the paints are mixed as required and thinning solvent may be issued separately in amounts as allowed by NESHAP limitations, as necessary.

Measures are taken to reduce the risk of spillage and evaporation, such as pouring only as needed, providing adequate space for storage and "bonnets" to be used to cover the paint kits when not in use. BIW is in the process of fine tuning a state of the art distribution facility where all paints are mechanically mixed and controlled by a computerized distribution mechanism. This component dispensing system is currently being utilized at the North and South yard issue stations.

On December 15, 1995 EPA promulgated 40 CFR Part 63, Subpart II: National Emission Standards for Hazardous Air Pollutants for Shipbuilding and Ship Repair (Surface Coating) Operations. The NESHAP requires existing and new major sources to control emissions using the maximum achievable control technology (MACT) to control hazardous air pollutants (HAPs). Under this NESHAP “no owner or operator of an affected source shall cause or allow the application of any coating to a ship with an as-supplied VOHAP content exceeding the following...”: (VOC shall be used as a surrogate for VOHAP)

Coating Category	VOHAP limits ^{ab}		
	Grams/liter coating (minus water and exempt compounds)	Grams/liter solids ^c	
		t≥4.5°C(40°F)	t<4.5°C(40°F) ^d
General use	340	571	728
Specialty:			
Air flask	340	571	728
Antenna	530	1,439	-
Antifoulant	400	765	971
Heat resistant	420	841	1,069
High-gloss	420	841	1,069
High temperature	500	1,237	1,597
Inorganic zinc high-build	340	571	728
Military exterior	340	571	728
Mist	610	2,235	-
Navigational aids	550	1,597	-
Nonskid	340	571	728
Nuclear	420	841	1,069
Organic zinc	360	630	802
Pretreatment wash primer	780	11,095	-
Repair and maint. of thermoplastics	550	1,597	-
Rubber camouflage	340	571	728
Sealant for thermal spray aluminum	610	2,235	-
Special marking	490	1,178	-
Specialty interior	340	571	728
Tack coat	610	2,235	-
Undersea weapons systems	340	571	728
Weld-through precon.primer	650	2,885	-

^a VOC (including exempt compounds listed as HAP) shall be used as a surrogate for VOHAP for those compliance procedures described in 40 CFR Part 63, Subpart II, 63.785(c)(1) through (3).

^b to convert from g/L to lb/gal, multiply by (3.785 L/gal)(1/453.6 lb/g) or 1/120.

^c VOHAP limits expressed in units of mass of VOHAP per volume of solids were derived from the VOHAP limits expressed in units of mass of VOHAP per volume of coating assuming the coatings contain no water or exempt compounds and that the volumes of all components within a coating are additive.

^d these limits apply during cold-weather time periods. Cold-weather allowances are not given to coatings in categories that permit over a 40 percent VOHAP content by volume. Such coatings are subject to the same limits regardless of weather conditions.

Streamlining

VOC

BIW accepts streamlining for VOC requirements. Chapter 134 of the Maine Air Regulations requires that facilities with the potential to emit greater than 40 tons or more per year of volatile organic compounds (VOCs) incorporate RACT (Reasonably Available Control Technology). However, in December of 1995 the NESHAP for Shipbuilding and Repair Facilities was promulgated controlling VOC emissions to a level greater than that of VOC RACT. Therefore, only the more stringent NESHAP VOC limits are included in this license.

Opacity

BIW accepts streamlining for opacity requirements. Chapter 101, Section 2(C) of the Department's regulations and Best Practical Treatment (BPT) requirements are applicable. The Best Practical Treatment (BPT) opacity limit is more stringent. Therefore, only the more stringent BPT opacity limit is included in this license.

Periodic Monitoring

Periodic monitoring shall consist of recordkeeping which includes records of total volume of each coating applied by category, as-supplied VOC content, applicable VOHAP limit and dates and times for cold-weather compliance.

H. Parts Cleaning

BIW operates several parts cleaning operations throughout the facility as required for process operations. Chemical compounds such as petroleum naphtha, Brulin 815 QR and Oakite Stripper SA are utilized in this process to obtain the quality necessary for subsequent operations. BIW does not utilize halogenated HAP solvents (as defined in 40 CFR Part 63 Subpart T) above 5% by weight for parts cleaning.

Periodic Monitoring

Periodic monitoring for the degreaser units shall consist of recordkeeping including records of solvent added and removed for each unit in operation.

I. Blasting Operations

BIW conducts blasting activities at various locations throughout the facility as part of the ship building and renovation operations. The blasting operations are conducted in enclosed buildings with filter systems to control particulate matter emissions when the ship parts are of such a size that blasting is possible in enclosed areas. These operations are conducted in blast I, II or paint and blast III. However, there are also times when blasting must be conducted outside of the blast and paint buildings on the ship surfaces, units and other sub-assemblies. During this time of blasting outdoors BIW erects a tarp-type enclosure system to help suppress the emissions of particulate matter.

Opacity

BIW accepts streamlining for opacity requirements. Chapter 101, Section 2(C) of the Department's regulations and Best Practical Treatment (BPT) requirements are applicable. The Best Practical Treatment (BPT) opacity limit is more stringent. Therefore, only the more stringent BPT opacity limit is included in this license.

J. Gasoline Dispensing Operations

BIW operates a gasoline dispensing facility on the premises. This facility is used for the fueling of fleet vehicles only.

Periodic Monitoring

Periodic monitoring for the gasoline dispensing operation shall consist of recordkeeping including records of gasoline throughput.

K. Facility Emissions

Total Allowable Annual Emissions for the Facility
(used to calculate the license fee)

Pollutant	Tons/Year
PM	24.6
PM ₁₀	24.6
SO ₂	103.7
NO _x	99.9
CO	20.1
VOC	101.1

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III. AIR QUALITY ANALYSIS

BIW previously submitted an ambient air quality analysis demonstrating that emissions from the facility, in conjunction with all other sources, do not violate ambient air quality standards. An additional ambient air quality analysis is not required for this Initial Part 70 License.

ORDER

Based on the above Findings and subject to conditions listed below, the Department concludes that emissions from this sources:

- will receive Best Practical Treatment;
- will not violate applicable emissions standards
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants the Part 70 License A-333-70-A-I pursuant to ME DEP Chapter 140 and the preconstruction permitting requirements of ME DEP Chapter 115 and subject to the standard and special conditions below.

All federally enforceable and State-only enforceable conditions in existing air licenses previously issued to BIW pursuant to the Department's preconstruction permitting requirements in Chapters 108 or 115 have been incorporated into this Part 70 license, except for such conditions that ME DEP has determined are obsolete, extraneous or otherwise environmentally insignificant, as explained in the findings of fact accompanying this permit. As such the conditions in this license supercede all previously issued air license conditions.

Federally enforceable conditions in this Part 70 license must be changed pursuant to the applicable requirements in Chapter 115 for making such changes and pursuant to the applicable requirements in Chapter 140.

For each standard and special condition which is state enforceable only, state-only enforceability is designated with the following statement: **Enforceable by State-only.**

STANDARD CONDITIONS

- (1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emission units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions and this license (Title 38 MRSA §347-C);

- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 140;
- (3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both;
- (4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request; **Enforceable by State-only**
- (5) The licensee shall pay the annual air emissions license fee to the Department, calculated pursuant to Title 38 MRSA §353;
- (6) The Part 70 license does not convey any property rights of any sort, or any exclusive privilege;
- (7) The licensee shall maintain and operate all emission units and air pollution control systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions; **Enforceable by State-only**
- (8) The licensee shall maintain sufficient records, to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request or in accordance with other provisions of this license;
- (9) The licensee shall comply with all terms and conditions of the air emission license. The submission of notice of intent to reopen for cause by the Department, the filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for the renewal of a Part 70 license or amendment shall not stay any condition of the Part 70 license.
- (10) All terms and conditions are enforceable by EPA and citizens under the CAA unless specifically designated as state enforceable.

- (11) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license;
- (12) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:
- (a) perform stack testing under circumstances representative of the facility's normal process and operating conditions:
 - (i) within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions;
 - (ii) to demonstrate compliance with the applicable emission standards; or
 - (iii) pursuant to any other requirement of this license to perform stack testing.
 - (b) install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emissions testing; and
 - (c) submit a written report to the Department within thirty (30) days from the date of test completion.

Enforceable by State-only

- (13) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicates emissions in excess of the applicable standards, then:
- (a) within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and

- (b) the days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there where intervening days during which no violation occurred or that the violation was not continuing in nature; and
- (c) the licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on a interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.

Enforceable by State-only

- (14) Notwithstanding any other provision in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement.
- (15) Compliance with the conditions of this Part 70 license shall be deemed compliance with any Applicable requirement as of the date of license issuance and is deemed a permit shield, provided that:
 - (a) Such Applicable and state requirements are included and are specifically identified in the Part 70 license, except where the Part 70 license term or condition is specifically identified as not having a permit shield; or
 - (b) The Department, in acting on the Part 70 license application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the Part 70 license includes the determination or a concise summary, thereof.

Nothing in this section or any Part 70 license shall alter or effect the provisions of Section 303 of the CAA (emergency orders), including the authority of EPA under Section 303; the liability of an owner or operator of a source for any violation of Applicable requirements prior to or at the time of permit issuance; or the ability of EPA to obtain information from a source pursuant to section 114 of the CAA.

- (16) The licensee shall retain records of all required monitoring data and support information for a period of at least six (6) years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the Part 70 license.

- (17) The licensee shall maintain records of all deviations from license requirements. Such deviations shall include, but are not limited to malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emission unit itself that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next working day, whichever is later, of such occasions and shall report the probable cause, corrective action, and any excess emissions in the units of the applicable emission limitation;
- (18) Upon the written request of the Department, the licensee shall establish and maintain such records, make such reports, install, use, and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status.
- (19) The licensee shall submit semiannual reports of any required periodic monitoring. All instances of deviations from Part 70 license requirements must be clearly identified in such reports. All required reports must be certified by a responsible official.
- (20) The licensee shall submit a compliance certification to the Department and EPA at least annually, or more frequent if specified in the Applicable requirement by the Department. The compliance certification shall include the following:
- (a) The identification of each term or condition of the Part 70 license that is the basis of the certification;
 - (b) The compliance status;
 - (c) Whether compliance was continuous or intermittent;
 - (d) The method(s) used for determining the compliance status of the source, currently and over the reporting period; and
 - (e) Such other facts as the Department may require to determine the compliance status of the source;
- (21) The Part 70 license shall be reopened for cause by the Department or EPA, prior to the expiration of the Part 70 license, if:

- (a) Additional Applicable requirements under the CAA become applicable to the Part 70 major source with a remaining Part 70 license term of 3 or more years. However, no opening is required if the effective date of the requirement is later than the date on which the Part 70 license is due to expire, unless the original Part 70 license or any of its terms and conditions has been extended pursuant to Chapter 140;
- (b) Additional requirements (including excess emissions requirements) become applicable to the Title IV source under the acid rain program. Upon approval by EPA, excess emissions offset plans shall be deemed to be incorporated into the Part 70 license;
- (c) The Department or EPA determines that the Part 70 license contains a material mistake or that inaccurate statements were made in establishing the emission standards or other terms of conditions of the Part 70 license; or
- (d) The Department or EPA determines that the Part 70 license must be revised or revoked to assure compliance with the Applicable requirements.

The licensee shall furnish to the Department within a reasonable time any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the Part 70 license or to determine compliance with the Part 70 license.

- (22) No license revision or amendment shall be required, under any approved economic incentives, marketable licenses, emissions trading and other similar programs or processes for changes that are provided for in the Part 70 license.

SPECIAL CONDITIONS

- (23) Permit Shield for Non-Applicable Requirements
The following requirements have been specifically identified as not applicable based upon information submitted by the licensee in an application dated August 28, 1996.

	SOURCE	CITATION	DESCRIPTION	BASIS FOR DETERMINATION
a.	Facility	Chapter 138	NO _x RACT	Facility is limited to 99.9 tons NO _x /year
b.	Boiler #9	40 CFR Part 60 Subpart Dc	Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units	Commenced construction prior to June 9, 1989
c.	Facility	40 CFR Part 63, Subpart T	National Emission Standards for Halogenated Solvent Cleaning	No units utilize any halogenated solvents over the threshold quantities

(24) Boilers #1 and #2

A. The sulfur content of the fuel oil fired in boilers #1 and #2 shall not exceed 0.5% by weight, pursuant to 60.42c demonstrated by purchase records from the supplier. [40 CFR Part 60, Subpart Dc]

B. Emissions from boilers #1 and #2 shall each not exceed the following limits:

Pollutant	lb/MMBtu	Origin and Authority	Enforceability
PM	0.12	ME DEP, Chapter 103, Section 2(B)(1)(a)	-
PM ₁₀	0.12	ME DEP, Chapter 140, BPT	-
NO _x	0.50	ME DEP, Chapter 140, BPT	-

Pollutant	lb/hr	Origin and Authority	Enforceability
PM	3.5	ME DEP, Chapter 140, BPT	-
PM ₁₀	3.5	ME DEP, Chapter 140, BPT	-
SO ₂	15.3	ME DEP, Chapter 140, BPT	-
NO _x	14.7	ME DEP, Chapter 140, BPT	-
CO	0.98	ME DEP, Chapter 140, BPT	-
VOC	0.05	ME DEP, Chapter 140, BPT	-

C. Boilers #1 and #2 shall not exceed an annual fuel use limit of 1,700,000 gallons per year (based on a 12 month rolling total). [ME DEP, Chapter 140, BPT]

D. BIW shall operate boilers #1 and #2 such that the visible emissions from stack #1 do not exceed 20% opacity on a six (6) minute block average basis, except for no more than two (2) six (6) minute block averages in any 3-hour period. [ME DEP, Chapter 140, BPT]

(25) Boiler #3

A. The sulfur content of the fuel oil fired in boiler #3 shall not exceed 0.5% by weight, pursuant to 60.42c demonstrated by purchase records from the supplier. [40 CFR Part 60, Subpart Dc]

B. Emissions from boiler #3 shall not exceed the following limits:

Pollutant	lb/MMBtu	Origin and Authority	Enforceability
PM	0.12	ME DEP, Chapter 103, Section 2(B)(1)(a)	-
PM ₁₀	0.12	ME DEP, Chapter 140, BPT	-
NO _x	0.50	ME DEP, Chapter 140, BPT	-

Pollutant	lb/hr	Origin and Authority	Enforceability
PM	3.5	ME DEP, Chapter 140, BPT	-
PM ₁₀	3.5	ME DEP, Chapter 140, BPT	-
SO ₂	15.3	ME DEP, Chapter 140, BPT	-
NO _x	14.7	ME DEP, Chapter 140, BPT	-
CO	0.98	ME DEP, Chapter 140, BPT	-
VOC	0.05	ME DEP, Chapter 140, BPT	-

- C. Boiler #3 shall not exceed an annual fuel use limit of 1,500,000 gallons per year (based on a 12 month rolling total). [ME DEP, Chapter 140, BPT]
- D. BIW shall operate boiler #3 such that the visible emissions from stack #1b do not exceed 20% opacity on a six (6) minute block average basis, except for no more than two (2) six (6) minute block averages in any 3-hour period. [ME DEP, Chapter 140, BPT]
- (26) Boilers #9 and #10
- A. The sulfur content of the fuel oil fired in boiler #9 shall not exceed 0.5% by weight demonstrated by purchase records from the supplier. [ME DEP, Chapter 140, BPT]
- B. The sulfur content of the fuel oil fired in boiler #10 shall not exceed 0.5% by weight, pursuant to 60.42c demonstrated by purchase records from the supplier. [40 CFR Part 60, Subpart Dc]
- C. Emissions from boilers #9 and #10 shall each not exceed the following limits:

Pollutant	lb/MMBtu	Origin and Authority	Enforceability
PM	0.10	ME DEP, Chapter 140, BPT	-
PM ₁₀	0.10	ME DEP, Chapter 140, BPT	Enforceable by State-only
NO _x	0.50	ME DEP, Chapter 140, BPT	Enforceable by State-only

Pollutant	lb/hr	Origin and Authority	Enforceability
PM	2.5	ME DEP, Chapter 140, BPT	-
PM ₁₀	2.5	ME DEP, Chapter 140, BPT	-
SO ₂	13.1	ME DEP, Chapter 140, BPT	-
NO _x	12.6	ME DEP, Chapter 140, BPT	-
CO	0.75	ME DEP, Chapter 140, BPT	-
VOC	0.25	ME DEP, Chapter 140, BPT	-

D. BIW shall operate boilers #9 and #10 such that the visible emissions from stack #3 do not exceed 20% opacity on a six (6) minute block average basis, except for no more than two (2) six (6) minute block averages in any 3-hour period. [ME DEP, Chapter 140, BPT]

(27) Boilers #11 and #12

A. The sulfur content of the fuel oil fired in boilers #11 and #12 shall not exceed 0.5% by weight, pursuant to 60.42c demonstrated by purchase records from the supplier. [40 CFR Part 60, Subpart Dc]

B. Emissions from the boilers shall each not exceed the following limits:

Pollutant	lb/MMBtu	Origin and Authority	Enforceability
PM	0.12	ME DEP, Chapter 103, Section 2(B)(1)(a)	-
PM ₁₀	0.12	ME DEP, Chapter 140, BPT	-
NO _x	0.50	ME DEP, Chapter 140, BPT	-

Pollutant	lb/hr	Origin and Authority	Enforceability
PM	3.5	ME DEP, Chapter 140, BPT	-
PM ₁₀	3.5	ME DEP, Chapter 140, BPT	-
SO ₂	15.3	ME DEP, Chapter 140, BPT	-
NO _x	14.7	ME DEP, Chapter 140, BPT	-
CO	0.98	ME DEP, Chapter 140, BPT	-
VOC	0.05	ME DEP, Chapter 140, BPT	-

C. BIW shall maintain and operate in accordance with the manufacturers specification a Hawk control system and oxygen trim on boilers #11 and #12 to help ensure maximum performance and minimal emissions. [ME DEP, Chapter 140, BPT]

- D. BIW shall operate boilers #11 and #12 such that the visible emissions from stack #3a do not exceed 20% opacity on a six (6) minute block average basis, except for no more than two (2) six (6) minute block averages in any 3-hour period. [ME DEP, Chapter 140, BPT]
- (28) BIW shall be limited to an annual fuel use in the boilers of 2,650,000 gallons (based on a 12 month rolling total). BIW shall maintain records on a monthly basis of total fuel oil consumed in boilers #1, #2, #3, #9, #10, #11 and #12 in gallons. [ME DEP, Chapter 140, BPT]
- (29) Annual boiler tune-ups
BIW shall perform annual boiler tune-ups on each boiler which meet the following requirements: [ME DEP, Chapter 140, BPT] **Enforceable by State-only**
- A. a tune-up procedure file must be kept on site and made available to the Department upon request,
- B. an oxygen/carbon monoxide curve or an oxygen/smoke curve must be kept on file,
- C. once the optimum excess oxygen setting has been determined, it must be verified periodically at that value, and
- D. if the minimum oxygen level is found to be substantially higher than the value provided by the combustion unit manufacturer the fuel and air mixing must be improved thereby allowing operation with less air.
- (30) Generators #1 - #3, LLTF Fire Pump, North Dock Fire Pump and TTS Power Units
- A. The diesel fuel fired in generators #1 - #3, the LLTF Fire Pump, the North Dock Fire Pump and the TTS Power Units shall not exceed a sulfur content of 0.05% by weight. BIW shall maintain records of purchase receipts to document compliance with the low sulfur requirement. [ME DEP, Chapter 140, BPT]
- B. Generators #1 - #3, LLTF Fire Pump, North Dock Fire Pump and the TTS Power Units shall each not exceed an annual operational limit of 500 hours, based on a 12 month rolling total basis. [ME DEP, Chapter 140, BPT] **Enforceable by State-Only**

C. Emissions from Generator #1 shall not exceed the following:

Pollutant	lb/MMBtu	Origin and Authority	Enforceability
PM	0.12	ME DEP, Chapter 103, Section 2(B)(1)(a)	-
PM ₁₀	0.12	ME DEP, Chapter 140, BPT	Enforceable by State-only

Pollutant	lb/hr	Origin and Authority	Enforceability
PM	0.69	ME DEP, Chapter 140, BPT	Enforceable by State-only
PM ₁₀	0.69	ME DEP, Chapter 140, BPT	Enforceable by State-only
SO ₂	0.33	ME DEP, Chapter 140, BPT	Enforceable by State-only
NO _x	17.1	ME DEP, Chapter 140, BPT	Enforceable by State-only
CO	4.5	ME DEP, Chapter 140, BPT	Enforceable by State-only
VOC	0.55	ME DEP, Chapter 140, BPT	Enforceable by State-only

D. Emissions from Generator #2 shall not exceed the following:

Pollutant	lb/MMBtu	Origin and Authority	Enforceability
PM	0.12	ME DEP, Chapter 103, Section 2(B)(1)(a)	-
PM ₁₀	0.12	ME DEP, Chapter 140, BPT	Enforceable by State-only

Pollutant	lb/hr	Origin and Authority	Enforceability
PM	0.46	ME DEP, Chapter 140, BPT	Enforceable by State-only
PM ₁₀	0.46	ME DEP, Chapter 140, BPT	Enforceable by State-only
SO ₂	0.23	ME DEP, Chapter 140, BPT	Enforceable by State-only
NO _x	17.0	ME DEP, Chapter 140, BPT	Enforceable by State-only
CO	3.7	ME DEP, Chapter 140, BPT	Enforceable by State-only
VOC	1.3	ME DEP, Chapter 140, BPT	Enforceable by State-only

E. Emissions from Generator #3 shall not exceed the following:

Pollutant	lb/MMBtu	Origin and Authority	Enforceability
PM	0.12	ME DEP, Chapter 103, Section 2(B)(1)(a)	-
PM ₁₀	0.12	ME DEP, Chapter 140, BPT	Enforceable by State-only

Pollutant	lb/hr	Origin and Authority	Enforceability
PM	0.59	ME DEP, Chapter 140, BPT	Enforceable by State-only
PM ₁₀	0.59	ME DEP, Chapter 140, BPT	Enforceable by State-only
SO ₂	0.30	ME DEP, Chapter 140, BPT	Enforceable by State-only
NO _x	15.3	ME DEP, Chapter 140, BPT	Enforceable by State-only
CO	4.0	ME DEP, Chapter 140, BPT	Enforceable by State-only
VOC	0.50	ME DEP, Chapter 140, BPT	Enforceable by State-only

F. Emissions from the LLTF Fire Pump shall not exceed the following:

Pollutant	lb/MMBtu	Origin and Authority	Enforceability
PM	0.12	ME DEP, Chapter 103, Section 2(B)(1)(a)	-
PM ₁₀	0.12	ME DEP, Chapter 140, BPT	Enforceable by State-only

Pollutant	lb/hr	Origin and Authority	Enforceability
PM	0.31	ME DEP, Chapter 140, BPT	Enforceable by State-only
PM ₁₀	0.31	ME DEP, Chapter 140, BPT	Enforceable by State-only
SO ₂	0.13	ME DEP, Chapter 140, BPT	Enforceable by State-only
NO _x	11.5	ME DEP, Chapter 140, BPT	Enforceable by State-only
CO	2.5	ME DEP, Chapter 140, BPT	Enforceable by State-only
VOC	0.91	ME DEP, Chapter 140, BPT	Enforceable by State-only

G. Emissions from the North Dock Fire Pump shall not exceed the following:

Pollutant	lb/MMBtu	Origin and Authority	Enforceability
PM	0.12	ME DEP, Chapter 103, Section 2(B)(1)(a)	-
PM ₁₀	0.12	ME DEP, Chapter 140, BPT	Enforceable by State-only

Pollutant	lb/hr	Origin and Authority	Enforceability
PM	0.24	ME DEP, Chapter 140, BPT	Enforceable by State-only
PM ₁₀	0.24	ME DEP, Chapter 140, BPT	Enforceable by State-only
SO ₂	0.10	ME DEP, Chapter 140, BPT	Enforceable by State-only
NO _x	8.8	ME DEP, Chapter 140, BPT	Enforceable by State-only
CO	1.9	ME DEP, Chapter 140, BPT	Enforceable by State-only
VOC	0.70	ME DEP, Chapter 140, BPT	Enforceable by State-only

H. Emissions from TTS Power Units shall each not exceed the following:

Pollutant	lb/MMBtu	Origin and Authority	Enforceability
PM	0.12	ME DEP, Chapter 103, Section 2(B)(1)(a)	-
PM ₁₀	0.12	ME DEP, Chapter 140, BPT	Enforceable by State-only

Pollutant	lb/hr	Origin and Authority	Enforceability
PM	0.26	ME DEP, Chapter 140, BPT	Enforceable by State-only
PM ₁₀	0.26	ME DEP, Chapter 140, BPT	Enforceable by State-only
SO ₂	0.11	ME DEP, Chapter 140, BPT	Enforceable by State-only
NO _x	9.7	ME DEP, Chapter 140, BPT	Enforceable by State-only
CO	2.1	ME DEP, Chapter 140, BPT	Enforceable by State-only
VOC	0.77	ME DEP, Chapter 140, BPT	Enforceable by State-only

I. The diesel units listed above shall each not exceed a visible emission limit of 20% opacity on a six (6) minute block average basis, except for no more than two (2) six (6) minute block averages in any 3-hour period. [ME DEP, Chapter 140, BPT]

J. BIW shall operate hour meters on each diesel unit and maintain a monthly log of these hours to document compliance with the annual hours of operation for each unit. [ME DEP, Chapter 140, BPT]

(31) Painting Operations

A. No coating shall be applied to a ship with an as-applied VOHAP content exceeding the following as determined by the procedures described in 40 CFR 63.785c(1) through c(3): [40 CFR Part 63, Subpart II]

Coating Category	VOHAP limits ^{ab}		
	Grams/liter coating (minus water and exempt compounds)	Grams/liter solids ^c	
		t≥4.5°C(40°F)	t<4.5°C(40°F) ^d
General use	340	571	728
Specialty:			
Air flask	340	571	728
Antenna	530	1,439	-
Antifoulant	400	765	971
Heat resistant	420	841	1,069
High-gloss	420	841	1,069
High temperature	500	1,237	1,597
Inorganic zinc high-build	340	571	728
Military exterior	340	571	728

Mist	610	2,235	-
Navigational aids	550	1,597	-
Nonskid	340	571	728
Nuclear	420	841	1,069
Organic zinc	360	630	802
Pretreatment wash primer	780	11,095	-
Repair and maint. of thermoplastics	550	1,597	-
Rubber camouflage	340	571	728
Sealant for thermal spray aluminum	610	2,235	-
Special marking	490	1,178	-
Specialty interior	340	571	728
Tack coat	610	2,235	-
Undersea weapons systems	340	571	728
Weld-through precon.primer	650	2,885	-

- ^a VOC (including exempt compounds listed as HAP) shall be used as a surrogate for VOHAP for those compliance procedures described in 40 CFR Part 63, Subpart II, 63.785(c)(1) through (3).
- ^b to convert from g/L to lb/gal, multiply by (3.785 L/gal)(1/453.6 lb/g) or 1/120.
- ^c VOHAP limits expressed in units of mass of VOHAP per volume of solids were derived from the VOHAP limits expressed in units of mass of VOHAP per volume of coating assuming the coatings contain no water or exempt compounds and that the volumes of all components within a coating are additive.
- ^d these limits apply during cold-weather time periods. Cold-weather allowances are not given to coatings in categories that permit over a 40 percent VOHAP content by volume. Such coatings are subject to the same limits regardless of weather conditions.

- B. All coatings used in volumes of less than 52.8 gallons per year shall be clearly labeled as “low usage exempt.” The total volume of all “low usage exempt” materials can not exceed 264 gallons per year.
- C. All handling and transferring of VOHAP-containing materials to and from containers and drums shall be conducted in a manner that minimizes spills.
- D. All containers and drums shall be free of cracks, holes and other defects and shall remain closed at all times unless materials are being transferred to or removed from them.
- E. BIW shall comply with the compliance procedures, as applicable, in 40 CFR Part 63 Subpart II, 63.785.
- F. Visible emissions from the paint booths shall not exceed 10% opacity based on a six (6) minute block average basis and visible emissions from exterior painting shall not exceed 20% opacity based on a six (6) minute block average basis. [ME DEP, Chapter 140, BPT]

(32) Parts Cleaning

For all solvent degreasers, as defined by Chapter 130 of the Department's Regulations, operated at the BIW facility the following shall apply: [ME DEP, Chapter 130]

- A. BIW shall clearly label the parts washer with operational standards, equip the washer with cover if vapor pressure >15 mmHG at 100°F, close cover when not in use, drain parts for 15 seconds or longer, shall not degrease porous material, keep drafts < 40 m/minute, immediately repair any visible leaks, and keep records on a monthly basis of solvent added and removed.
- B. Vapor tight containers shall be used for the storage of spent or fresh material containing VOC and for the storage or disposal of cloth or paper impregnated with VOC that are used for the surface preparation, cleanup or coating removal.

(33) Blasting Operations

- A. The following conditions shall apply to the outdoor blasting operations conducted at BIW: [ME DEP, Chapter 140, BPT] **Enforceable by State-only**
 - 1. Outdoor blasting shall be prohibited when sustained wind speeds exceed 20 miles per hour at the point of the nozzle.
 - 2. Whenever feasible, BIW shall use control measures such as, but not limited to containment, metering valves (flow control) and/or alternative blast media to minimize emissions when conducting outdoor blasting.
 - 3. Prior to blasting, each surface coating with unknown constituents, as determined by the generator, shall be tested for the presence of lead and mercury using a method approved by the Department such as the use of lead sticks to detect the presence of lead and paint chip sampling for mercury.
 - 4. Blasting areas shall be fully enclosed when blasting surface coatings that contain mercury or more than 1.0% by weight of lead. Negative pressures shall be maintained inside these enclosures in order to prevent dust particles from escaping.
 - 5. Visible emissions from outdoor blasting shall not exceed 20% opacity based on a six (6) minute block average basis.
- B. The following conditions shall apply to the blast I, II and III buildings: [ME DEP, Chapter 140, BPT] **Enforceable by State-only**
 - 1. BIW shall maintain and operate all three areas according to manufacturers specifications such to minimize emissions.
 - 2. BIW shall ensure that each unit and all associated duct work are maintained in good working order at all times.

3. Visible emissions from blast I, II and/or III shall not exceed 10% opacity based on a six (6) minute block average basis.

(34) Gasoline Dispensing Operations

- A. A fill pipe shall extend within 6 inches of the bottom of the gasoline storage tank. [ME DEP, Chapter 118]
- B. The licensee shall maintain records of the monthly and annual throughput of gasoline. [ME DEP, Chapter 118]

(35) Recordkeeping

For all recordkeeping required by this license, the licensee shall maintain records of the most current six year period. [ME DEP, Chapter 137 and Chapter 140]

- A. The following records shall be maintained for each of the boilers:

Monthly fuel use indicating the quantity delivered (gallons) and the percent (%) sulfur content of the fuel by weight demonstrated by fuel analysis' provided by the supplier for each tank from which product is taken to be delivered to BIW to be updated for each shipment the supplier receives and analyzes.

These records, maintained according to 60.42c, shall be submitted to EPA Region I on a semi-annual basis in accordance with 40 CFR Subpart Dc. [40 CFR Subpart Dc]

- B. The following records shall be maintained for the stand-by generators:

1. The hours of operation as documented by the operation of hour meters on each unit;
2. Records of fuel use indicating the quantity delivered (gallons) and the percent (%) sulfur content of the fuel by weight demonstrated by purchase receipts from the supplier.

- C. The following records shall be maintained for the painting operations: [40 CFR Part 63, Subpart II]

1. monthly records of volumes of 'low usage exempt' applied at the facility
2. monthly records of the total volume of coating applied to ships
3. the following records shall be maintained at the facility:
 - a. all documentation supporting initial notification,
 - b. a copy of the facility's approved implementation plan,
4. the following records shall be maintained at the facility and compiled on a monthly basis:
 - a. identification of the coatings used, their appropriate coating categories, and the applicable VOHAP limit;

- b. certification of the as-supplied VOC content of each batch of coating;
- c. a determination of whether containers are kept closed at all times coatings are not being added or removed; and
- d. the results of any Method 24 testing.
- e. for coatings to which thinning solvent will not be added:
 - 1. certification of the as-applied VOC content of each batch of coating, and
 - 2. the volume of each coating applied
- f. for coatings to which thinning solvent will be added-coating by coating compliance:
 - 1. the density and mass fraction of water and exempt compounds of each thinner and the volume fraction of solids in each batch, including any calculations,
 - 2. the maximum allowable thinning ratio
 - 3. if cold-weather thinning allowances are used, the dates and times during which the ambient temperature at the affected source was below 4.5°C (40°F) at the time the coating was applied and the volume used of each batch of the coating, as-supplied, during these dates,
 - 4. the volume used of each batch of coating, as-supplied,
 - 5. the total allowable volume of thinner for each coating, including calculations, and
 - 6. the actual volume of thinner used for each coating.
- g. for coatings to which the same thinning solvent will be added-group compliance:
 - 1. the density and mass fraction of water and exempt compounds of each thinner and the volume fraction of solids in each batch, including any calculations,
 - 2. the maximum allowable thinning ratio,
 - 3. if cold-weather allowances are used, the dates and times during which the ambient temperature at the affected source was below 4.5°C (40°F) at the time the coating was applied and the volume used of each batch in the group, as-supplied, during these dates
 - 4. identification of each group of coatings and their designated thinners,
 - 5. the volume used of each batch of coating in the group, as-supplied,
 - 6. the total allowable volume of thinner for the group, including calculations, and
 - 7. the actual volume of thinner used for the group.
- h. If BIW detects a violation of the standards, for the remainder of the reporting period include the following information in the records:
 - 1. a summary of the number and duration of deviations,
 - 2. identification of the data availability achieved, including the number and total duration of incidents,

3. compliance status as of the last day of the reporting period and whether compliance was continuous or intermittent.

D. The following records shall be maintained for the parts cleaners:
Monthly records indicating the amount of solvent added to each unit. [ME DEP, Chapter 130]

E. The following records shall be maintained for the gasoline dispensing operations:
Monthly records of gasoline throughput.

(36) **Semiannual Reporting**

The licensee shall submit semiannual reports every six months to the Bureau of Air Quality. The initial semiannual report is due December 30, 2001, 30 days from the end of the six month period of June 1 – November 30 following the date of signature of this license.

A. Each semiannual report shall include a summary of the periodic monitoring required by this license.

B. All instances of deviations from license requirements and the corrective action taken must be clearly identified and provided to the Department in summary form for each six-month interval.

[ME DEP, Chapter 140]

(37) **Annual Compliance Certification**

The licensee shall submit an annual compliance certification to the Department in accordance with Condition (20) of this license. The initial annual compliance certification is due June 30, 2002 with the submittal of the second semiannual report after the signature date of this license. [ME DEP, Chapter 140]

(38) **A. Annual Emission Statement**

In accordance with ME DEP Chapter 137, the licensee shall annually report to the Department, by September 1, the information necessary to accurately update the State's emission inventory by means of:

- 1) A computer program and accompanying instructions supplied by the Department; or
- 2) A written emission statement containing the information required in ME DEP Chapter 137.

Reports and questions should be directed to:

Bath Iron Works Corporation)
Sagadahoc County)
Bath, Maine)
A-333-70-A-I 29

**Departmental
Findings of Fact and Order
Initial Part 70 Air Emission License**

Attn: Criteria Emission Inventory Coordinator
Maine DEP
Bureau of Air Quality
17 State House Station
Augusta, ME 04333-0017

Phone: (207) 287-2437

B. Biennial Emission Statement

In accordance with ME DEP Chapter 137, the licensee shall report every two years (1996,1998,etc.), by September 1, to the Department the information necessary to accurately update the State's toxic air pollutants emission inventory by means of a written emission statement containing the information required in MEDEP Chapter 137.

Reports and questions on the Air Toxics emissions inventory portion should be directed to:

Attn: Toxics Inventory Coordinator
Maine DEP
Bureau of Air Quality
17 State House Station
Augusta, ME 04333-0017

Phone: (207) 287-2437

- (39) The licensee is subject to the State regulations listed below.

<u>Origin and Authority</u>	<u>Requirement Summary</u>
Chapter 102	Open Burning
Chapter 109	Emergency Episode Regulation
Chapter 110	Ambient Air Quality Standard
Chapter 116	Prohibited Dispersion Techniques

- (40) The licensee is subject to all applicable requirements of 40 CFR Part 82, Subpart F (Refrigerant Control).

(41) Certification by a Responsible Official

All reports (including quarterly reports, semiannual reports, and annual compliance certifications) required by this license to be submitted to the Bureau of Air Quality must be signed by a responsible official. [ME DEP, Chapter 140]

Bath Iron Works Corporation)
Sagadahoc County)
Bath, Maine)
A-333-70-A-I 30

Departmental
Findings of Fact and Order
Initial Part 70 Air Emission License

(42) The term of this license shall be five (5) years from the signature date below.

DONE AND DATED IN AUGUSTA, MAINE THIS DAY OF 2001.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
MARTHA G. KIRKPATRICK, COMMISSIONER

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: August 28, 1996

Date of application acceptance: August 28, 1996

Date filed with the Board of Environmental Protection _____

This Order prepared by Stephanie C. Toothaker, Bureau of Air Quality.